

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**ALLEN GREEN,**

**Defendant.**

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**Case No. 8:05CR288**

**ORDER**

This case is before the court on the defendant's Motion to Review Conditions of Release (#18). The motion is denied without hearing.

The defendant's proposed placement with a third-party custodian fails to overcome the rebuttable presumption of detention under 18 U.S.C. § 3142(e). Additionally, the proposed placement fails to mitigate the court's concerns as set out in the August 24, 2005 Detention Order (#16). This is particularly true given the defendant's substantial prior felony record spanning thirty years, and the fact that a total of 31 warrants have been issued against the defendant for failure to appear as directed or noncompliance with court directives.

**IT IS ORDERED:**

1. The defendant's Motion to Review Conditions of Release (#18) is denied without hearing.

Dated this 30<sup>th</sup> day of August 2005.

BY THE COURT:

S/ F.A. Gossett  
United States Magistrate Judge